

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH CENTRAL DIVISION

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Attorney for Plaintiff, EPIC TECHNOLOGY LLC

EPIC TECHNOLOGY LLC

Plaintiff,

v.

SHOPSAVVY INC.

Defendant.

**MOTION TO DISMISS
PROCEEDING AS A RESULT OF THE
REEXAMINATION BY THE UNITED
STATES PATENT OFFICE**

Magistrate Judge David Nuffer

Civil Case No. 2:12-cv-00249

Plaintiff EPIC TECHNOLOGY LLC (“Epic”) and Defendant SHOPSAVVY INC.’s (“Shop”) by and through their respective counsel of record hereby jointly move the Court for an order dismissing these proceedings as a result of the reexamination of U.S. Patent No. 7,917,401 (The “’401 Patent”). The reexamination of the ‘401 Patent was conducted by The U.S. Patent Office under control number 95/002,026 and resulted in a reexamination certificate cancelling of all claims on January 9, 2014.

DATED: February 21, 2014

/s/ Trent Baker date: 01/28/14
Trent H. Baker, *Attorney for plaintiff*
BAKER & ASSOCIATES PLLC

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2014, I caused a true and correct copy of the foregoing **JOINT MOTION TO DISMISS PROCEEDING AS A RESULT OF THE REEXAMINATION BY THE UNITED STATES PATENT OFFICE** to be filed with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to all counsel who have entered an appearance in this action.

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